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November 26, 2013

By ECF

Hon. Kimba M. Wood  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *United States v. Rubin et al.*  
S1 09 Cr. 1058 (VM)**

Dear Judge Wood:

We represent David Rubin in the above-referenced matter.

We write to respectfully request that Mr. Rubin's sentencing, currently scheduled for December 17, 2013 be adjourned to January 27, 2014 or an alternative subsequent date acceptable to the Court. The reason for this request is that we received the Pre-Sentence Report (PSR) only this past Friday. The PSR is lengthy, encompassing 184 paragraphs and 47 pages. It raises a myriad number of issues which need to be analyzed and adequately addressed.

I have spoken to Rebecca Meicklejohn of the Justice Department's Anti-Trust Division who advises me that the government does not object to the adjournment of the sentencing to January 27, 2014 if this date is acceptable to the Court.

SIMON & PARTNERS <sup>LLP</sup>

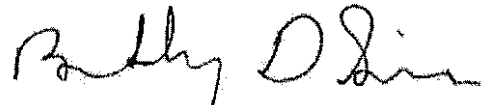
Hon. Kimba M. Wood

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Thank you for your time and attention to this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bradley D. Simon". The signature is fluid and cursive, with the first name "Bradley" and last name "Simon" clearly distinguishable.

Bradley D. Simon  
Attorney for David Rubin

cc: Rebecca Meiklejohn (By email)